

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

UNITED STATES OF AMERICA
upon the relation and for the use of the
TENNESSEE VALLEY AUTHORITY,

PLAINTIFF

VS.

CIVIL ACTION NO. 3:20-cv-00634-TSL-RPM

AN EASEMENT AND RIGHT-OF-WAY
OVER 0.37 ACRE OF LAND, MORE
OR LESS, IN RANKIN COUNTY,
MISSISSIPPI, and
JONATHAN W. CRAIN,
DIMITRI W. CRAIN, his wife,
RENASANT BANK

DEFENDANTS

JUDGMENT AND ORDER DISBURSING FUNDS

This action came on to be considered upon the Joint Motion for Entry of a Proposed Judgment and Order Disbursing Funds (Doc. 20) filed by Plaintiff and Defendants Jonathan W. Crain, Dimitri W. Crain and Renasant Bank. As set forth in the joint motion, the parties have agreed to resolve this action with the total amount of compensation to be awarded for the condemned property rights being \$20,000 and with Defendant Renasant Bank receiving all of that amount.

The record shows that Plaintiff has deposited with the registry of this Court the total sum of \$20,000, and that disbursement of the deposited sum, plus any accrued interest thereon less the applicable registry fee, is provided for herein:

IT IS, THEREFORE, ORDERED AND ADJUDGED that:

1. Defendants shall recover from Plaintiff \$20,000 as the full and final amount of just compensation for the property rights condemned in this action, and Defendant Renasant Bank shall receive all of that amount.

2. The Clerk of this Court is authorized and directed to draw a check on the funds on deposit in the registry of this Court in the amount of \$20,000, less any applicable registry fee, payable to “Renasant Bank” in full satisfaction of this Judgment and Order Disbursing Funds (Judgment), and to mail said check to Jeff Rawlings, Esq., Rawlings & MacInnis, P.A., P.O. Box 1789, Madison, Mississippi 39130-1789.

3. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking filed in this action on September 30, 2020 (Doc. 1-3), is hereby fully and finally confirmed with respect to the easement and right-of-way described below, said description being the same as in Attachment 1 to the Declaration of Taking filed herein (Doc. 1-4):

A permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the perpetual right to clear said right-of-way and keep the same clear of structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards), trees, brush, stored personal property, and fire hazards, to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right-of-way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five feet of any transmission line structure or conductor located thereon, the Tennessee Valley Authority to remain liable for any direct physical damage to the land and annual growing crops resulting directly from the operations of the construction and maintenance forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said transmission line structures, all upon, under, over, and across the following-described land:

TRACT NO. PTFLO-4

A strip of land located in the Southeast 1/4 of Section 15, Township 6 North, Range 3 East, Rankin County, State of Mississippi, as shown on a map entitled "Philadelphia – Langford Transmission Line," drawing LW-7728, sheet P28C, R.2, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said strip being 100 feet wide, lying 50 feet on each side of the centerline of the transmission line location and the end boundaries of the strip being more particularly described as follows:

Commencing at a 3/8 inch rebar at the southwest corner of the CIA Wholesale Inc., a Mississippi corporation, said rebar being 206.10 feet right of survey station 239+70.96; thence in an easterly direction along the common line with Jonathan W. Crain, et ux., 207.92 feet to a point in the centerline of the location at survey station 239+98.4 and being the Point of Beginning;

Thence leaving the Point of Beginning S. 0° 52' 08" E, 159.10 feet to a point in the north line of Roy L. Anderson, Ralph McKee, Johnnie L. Anderson, and their successors, Trustee for the Truevine Missionary Baptist Church, at survey station 241+57.5, said strip being bounded on the north by the line of Jonathan W. Crain, et ux., and on the south by the line of Roy L. Anderson, Ralph McKee, Johnnie L. Anderson, and their successors, Trustee for the Truevine Missionary Baptist Church.

The above-described strip of land includes the centerline of the transmission line location for a net distance of 159.1 feet and contains 0.37 acre, more or less.

The coordinates, distances and directions of lines are referred to the Mississippi East 2301 Coordinate System, NAD83(2011) Horizontal Datum, NAVD88 (Geoid12A) Vertical Datum.

4. The Clerk of this Court shall furnish to Plaintiff a certified copy of this Judgment, which shall serve as a muniment of title.

It is SO ORDERED, on this the 2nd day of April, 2021.

/s/Tom S. Lee

United States District Judge

We hereby approve and consent
to the entry of this Judgment:

s/James S. Chase

James S. Chase (TN BPR #020578)
Michael V. Bernier (MS BAR 103960)
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